

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2018

CORAM:
THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

W.P.No.33358 of 2017

1. B.Iyarappan
2. Sourav Banerjee
3. Moli Bose
4. Suresh B. Cherian

... Petitioners

vs.

1. The Government of India,
rep. by its Principal Secretary,
School Education & Literacy,
Ministry of Human Resource Development Department,
107, 'C' Wing, Shastri Bhavan,
New Delhi - 110 001.
2. The Central Board of Secondary Education,
2, Community Centre,
Shiksha Kendra,
Vikas Marg, 'C' Block,
Preet Vihar,
New Delhi 110 092.
3. The Delhi Public School Society,
F-Block, East of Kailash,
New Delhi - 110 065.
4. Uniworld Foundation Trust,
Uniworld City,
Nallambakkam,
Chennai 600 127.
5. The Principal,
The Delhi Public School,
Uniworld City,
Nellikuppam Road,
Nallambakkam,
Chennai 600 127.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the Respondents 1 and 2 to take appropriate legal action by mandating the 3rd Respondent Educational Agency to continue the administration of 5th Respondent School with adequate faculty

and other instructional facilities, by considering the representation submitted by the Petitioners, dated 12.12.2017, within a time frame.

For Petitioners : Mr.G.Sankaran
For 1st Respondent : Mr.J.Madhana Gopal Rao,
Sr. Central Govt. Standing Counsel
For 2nd Respondent : Mr.G.Nagarajan
For 3rd Respondent : Mr.P.Giridharan
For Respondents 4 & 5 : Mr.A.Umasankar

O R D E R

Petitioners have come up with the present Writ Petition seeking a direction to Respondents 1 and 2 to take appropriate legal action by mandating the 3rd Respondent Educational Agency to continue the administration of the 5th Respondent School with adequate faculty and other instructional facilities, by considering their representation dated 12.12.2017 within a time frame.

2. According to the Petitioners, their wards are studying in the 5th Respondent School viz. Delhi Public School affiliated to the 2nd Respondent CBSE, located in Uniworld City, Nallambakkam, Chennai in the outskirts of Chennai City. Petitioners are commonly aggrieved against the discrepancy in the Management of the 5th Respondent School inasmuch as the 3rd Respondent is withdrawing its operational limits over the School even by transferring the Principal and other faculty working in the School to other different Schools, adverse to the interest of large number of students studying in the School having DPS brand, resulting in non-compliance of the provisions of Central Board of Secondary Education (CBSE) Affiliation Bye-laws.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. Without going into the merits of the case, this Court directs the 2nd Respondent/Central Board of Secondary Education, New Delhi, to consider the Petitioners' representation dated 12.12.2017, after hearing all the parties concerned and take a decision in accordance with law, on or before 31.05.2018.

The Writ Petition is disposed of with the above direction.
No costs. Consequently, W.M.P.Nos.36804 and 36805 of 2017 are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Principal Secretary,
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School Education & Literacy,
Ministry of Human Resource Development Department,
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4. The Principal,
The Delhi Public School,
Uniworld City,
Nellikuppam Road,
Nallambakkam,
Chennai 600 127.

+1 cc to Mr.G.Nagarajan Advocate sr 26518
+1 cc to Mr.G.Sankaran Advocate sr 26612
+1 cc to Mr.A.Umasankar Advocate sr 26844
+1 cc to Mr.P.Giridharan Advocate sr 27122

W.P.No.33358 of 2017

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